

(I)(11)(i)(B) The employer shall medically remove an employee in accordance with paragraph (I)(11) of this section regardless of whether at the time of removal a job is available into which the removed employee may be transferred.

(I)(11)(i)(C) Whenever an employee is medically removed under paragraph (I)(11) of this section, the employer shall transfer the removed employee to a job where the exposure to cadmium is within the permissible levels specified in that paragraph as soon as one becomes available.

(I)(11)(i)(D) For any employee who is medically removed under the provisions of paragraph (I)(11)(i) of this section, the employer shall provide follow-up biological monitoring in accordance with (I)(2)(ii)(B) at least every three months and follow-up medical examinations semi-annually at least every six months until in a written medical opinion the examining physician determines that either the employee may be returned to his/her former job status as specified under (I)(11)(iv)-(v) or the employee must be permanently removed from excess cadmium exposure.

(I)(11)(i)(E) The employer may not return an employee who has been medically removed for any reason to his/her former job status until a physician determines in a written medical opinion that continued medical removal is no longer necessary to protect the employee's health.

(I)(11)(ii) Where an employee is found unfit to wear a respirator under paragraph (I)(6)(ii), the employer shall remove the employee from work where exposure to cadmium is above the PEL.

(I)(11)(iii) Where removal is based on any reason other than the employee's inability to wear a respirator, the employer shall remove the employee from work where exposure to cadmium is at or above the action level.

(I)(11)(iv) Except as specified in paragraph (I)(11)(v), no employee who was removed because his/her level of CdU, CdB and/or B(2)-M exceeded the medical removal trigger levels in paragraphs (I)(3) or (I)(4) may be returned to work with exposure to cadmium at or above the action level until the employee's levels of CdU fall to or below 3 ug/g Cr, CdB falls to or below 5 ug/lwb, and B(2)-M falls to or below 300 ug/g Cr.

(I)(11)(v) However, when in the examining physician's opinion continued exposure to cadmium will not pose an increased risk to the employee's health and there are special circumstances that make

continued medical removal an inappropriate remedy, the physician shall fully discuss these matters with the employee, and then in a written determination may return a worker to his/her former job status despite what would otherwise be unacceptably high biological monitoring results. Thereafter, the returned employee shall continue to be provided with medical surveillance as if he/she were still on medical removal until the employee's levels of CdU fall to or below 3 ug/g Cr, CdB falls to or below 5 ug/lwb, and B(2)-M falls to or below 300 ug/g Cr.

(I)(11)(vi) Where an employer, although not required by (I)(11)(i) thru (iii) of this section to do so, removes an employee from exposure to cadmium or otherwise places limitations on an employee due to the effects of cadmium exposure on the employee's medical condition, the employer shall provide the same medical removal protection benefits to that employee under paragraph (I)(12) as would have been provided had the removal been required under paragraph (I)(11)(i) thru (iii) of this section.

(I)(12) "Medical Removal Protection Benefits (MRPB)."

(I)(12)(i) The employer shall provide MRPB for up to a maximum of 18 months to an employee each time and while the employee is temporarily medically removed under paragraph (I)(11) of this section.

(I)(12)(ii) For purposes of this section, the requirement that the employer provide MRPB means that the employer shall maintain the total normal earnings, seniority, and all other employee rights and benefits of the removed employee, including the employee's right to his/her former job status, as if the employee had not been removed from the employee's job or otherwise medically limited.

(I)(12)(iii) Where, after 18 months on medical removal because of elevated biological monitoring results, the employee's monitoring results have not declined to a low enough level to permit the employee to be returned to his/her former job status:

(I)(12)(iii)(A) The employer shall make available to the employee a medical examination pursuant to this section in order to obtain a final medical determination as to whether the employee may be returned to his/her former job status or must be permanently removed from excess cadmium exposure; and

(I)(12)(iii)(B) The employer shall assure that the final medical determination indicates whether the employee may be returned to his/her former job status and what steps, if any, should be taken to protect the employee's health.